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9 **Attorneys for Defendant, *BESART HOXHA***

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 \* \* \* \* \*

9 **UNITED STATES OF AMERICA** )

10 )  
11 **Plaintiff,** )

**Case No. 2:17-cr-306-JCM-VCF**

12 **v.** )

13 **BESART HOXHA, et al.** )

14 **Defendant.** )  
15 \_\_\_\_\_ )

16 **STIPULATION AND ORDER TO CORRECT JUDGMENT REGARDING**  
17 **CREDIT FOR TIME SERVED IN FOREIGN CUSTODY**

18 **IT IS HEREBY STIPULATED AND AGREED**, by and between the United States of  
19 America, by and through DAVID L. JAFFE, ESQ., Chief, United States Department of Justice  
20 Violent Crimes and Racketeering Section, KELLY PEARSON, ESQ., and CHAD W. MCHENRY,  
21 ESQ., Trial Attorneys; and the Defendant, BESART HOXHA (“Mr. Hoxha”), by and through his  
22 attorneys, DAVID Z. CHESNOFF, ESQ., and RICHARD A. SCHONFELD, ESQ., of the law firm  
23 of CHESNOFF & SCHONFELD, and pursuant to Fed. R. Crim. P. 35 and Fed. R. Crim. P. 36, as  
24 follows:  
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26  
27 1. Defendant Hoxha was sentenced on December 11, 2023. At the sentencing, the  
28 parties mistakenly calculated the foreign custody credit and the Court imposed 112 days of credit for

1 time served in foreign custody. The Judgment was entered on December 13, 2023 (Dkt. 1134). The  
 2 parties stipulate and agree that the correct number of days in foreign custody is 198 DAYS (February  
 3 6, 2018-May 2, 2018 (86 days); April 13, 2022-May 5, 2022 (23 days); and June 13, 2022-September  
 4 9, 2022 (89 days). It should be noted that the Pre-Sentence Report correctly referenced Defendant  
 5 Hoxha's time in foreign custody. *See* PSR at p. 2.  
 6

7 Accordingly, the parties stipulate and agree that the Judgment and Commitment Order should  
 8 be amended to correct that Defendant Hoxha is entitled to 198 DAYS credit for time served while  
 9 in foreign custody, which is in addition to all credit for time served while in custody in the United  
 10 States. The parties further stipulate and agree that the District Court shall maintain jurisdiction to  
 11 address any additional credit issues, and that the Court and the parties intend that Defendant Hoxha  
 12 receive full credit for all time served, including for all time spent in custody in foreign custody and  
 13 in the United States.  
 14  
 15

16 **DATED** this 28<sup>th</sup> day of December, 2023.  
 17

18 Respectfully submitted,

19 UNITED STATES OF AMERICA

20 DAVID L. JAFFE, ESQ.  
 21 Violent Crimes and Racketeering Section

22 /s/ Kelly Pearson  
 23 KELLY PEARSON, ESQ.  
 CHAD W. MCHENRY, ESQ.  
 Trial Attorneys

24 CHESNOFF & SCHONFELD

25 /s/ Richard A. Schonfeld  
 26 DAVID Z. CHESNOFF, ESQ.  
 27 RICHARD A. SCHONFELD, ESQ.  
 Attorneys for Defendant, *BESART HOXHA*  
 28

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \* \* \*

**UNITED STATES OF AMERICA**

**Plaintiff,**

**v.**

**BESART HOXHA, et al.**

**Defendant.**

**Case No. 2:17-cr-306-JCM-VCF**

**ORDER CORRECTING JUDGMENT REGARDING CREDIT FOR TIME  
SERVED IN FOREIGN CUSTODY**

Having considered the Stipulation of the Parties, with good cause being shown, and pursuant to Fed. R. Crim. P. 35, and Fed. R. Crim. P. 36, the Court hereby finds and Orders as follows:

**IT IS HEREBY ORDERED** that the Judgment and Commitment Order in this case shall be amended to correct that Defendant Hoxha is entitled to 198 DAYS credit for time served while in foreign custody, which is in addition to all credit for time served while in custody in the United States.

**IT IS SO ORDERED.**

James C. Mahan  
UNITED STATES DISTRICT JUDGE

/s/ Richard A. Schonfeld  
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